

**Affidavit to Accompany  
Motion for Leave to Appeal in Forma Pauperis**

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MASS.  
2005 MAR 14 P 1:28

District Court No. 04-CV-11986-MEL  
Appeal No. \_\_\_\_\_

v.

Affidavit in Support of Motion	Instructions
<p>I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)</p> <p>Signed: <u>/ Michael Carey</u></p>	<p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p> <p>Date: <u>3/14/05</u></p>

**My issues on appeal are:**

*1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.*

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>1650</u>	\$ <u>4000</u>	\$ <u>1650</u>	\$ <u>4000</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Gifts	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Alimony	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Child support	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
<b>Total Monthly income:</b>	\$ <u>1650</u>	\$ <u>4000</u>	\$ <u>1650</u>	\$ <u>4000</u>

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions)

Employer	Address	Dates of Employment	Gross monthly pay
Harvard School	185 Franklin St.	9/04 - to present	2000
	New Bedford, MA		

3. List your spouses's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions)

Employer	Address	Dates of Employment	Gross monthly pay
Verizon	185 Franklin St.	8/99 - to present	6500
	Boston, MA		

4. How much cash do you and your spouse have? \$ 2

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
<u>First</u>	<u>Checking</u>	\$ <u>0</u>	\$ <u>100.00</u>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you or your spouse owns. Do not list clothing and ordinary household furnishings.

Home (Value)	Other real estate (Value)	Motor Vehicle #1 (Value)
<u>House 500,000</u>	_____	Make & year: <u>Chery orange 2003</u>
<u>Whitewood Circle</u>	_____	Model: <u>Chery 2500</u>
<u>Presbury MA</u>	_____	Registration#: _____
Motor Vehicle #2 (Value)	Other assets (Value)	Other assets (Value)
Make & year: <u>Jetta</u>	_____	_____
Model: <u>VW 13,000</u>	_____	_____
Registration#: _____	_____	_____

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Spouse
Rent or home mortgage payment (include lot rented for mobile home)	\$ _____	\$ <u>3100</u>
Are any real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and Telephone)	\$ _____	\$ <u>700</u>
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ <u>800</u>	\$ _____
Clothing	\$ <u>200</u>	\$ _____
Laundry and dry-cleaning	\$ _____	\$ _____
Medical and dental expenses	\$ <u>100</u>	\$ _____
Transportation (not including motor vehicle payments)	\$ _____	\$ <u>200</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ _____	\$ _____
Insurance (not deducted from wages or included in Mortgage payments)	\$ _____	\$ _____
Homeowner's or renter's	\$ _____	\$ <u>70</u>
Life	\$ _____	\$ <u>50</u>
Health	\$ _____	\$ _____
Motor Vehicle	\$ _____	\$ <u>4300</u>
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in Mortgage payments)(specify): _____	\$ _____	\$ _____
Installment payments		\$ _____
		\$ _____
Motor Vehicle	\$ <u>559</u>	\$ <u>210</u>
Credit card (name): <u>Lisa Cahill</u>	\$ _____	\$ <u>300</u>
Department store (name): <u>Sears</u>	\$ _____	\$ <u>100</u>

Other: Matress Guard \$ \_\_\_\_\_ \$ 100

Alimony, maintenance, and support paid to others \$ \_\_\_\_\_ \$ \_\_\_\_\_

Regular expenses for operations of business, profession, or farm (attach detailed statement) \$ \_\_\_\_\_ \$ \_\_\_\_\_

Other (specify): \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Total monthly expenses: \$ 1659 \$ 5290

9. Do you expect any major changes to your monthly income or expenses in your assets or liabilities during the next 12 months?

☐ Yes ☒ No

If yes, describe on an attached sheet.

10. Have you paid — or will you be paying — an attorney any money for services in connection with this case, including the completion of this form? ☒ Yes ☐ No

If yes, how much? \$ 683

If yes, state the attorney's name, address, and telephone number:

Atty Kathleen Silver Roberts  
State St  
Needhamport, MA

11. Have you paid — or will you be paying — anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? \$ \_\_\_\_\_

If yes, state the person's name, address, and telephone number:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I purchased my home based on my employment w/ Verizon. I have three children & I am trying to pay my bills.

13. State the address of your legal residence.

Rochester Ct.  
Hinsbury MA 01913

Your daytime phone number: (978) 388 4405

Your age: 31 Your years of schooling: 13